

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	No. CR 06-2051
)	
vs.)	
)	
MARLON EARSERY,)	
)	
Defendants.)	

FINAL ORDER OF FORFEITURE

WHEREAS, on March 15 2007, this Court entered a Preliminary Order of Forfeiture pursuant to the provisions of 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), based upon the defendant's guilty plea entered on January 5, 2007, in which defendant consented to the forfeiture of any interest he had or has in the firearms alleged to be subject to forfeiture under the Forfeiture Allegation of the November 3, 2006, Information;

AND WHEREAS, on July 20, 2007, July 27, 2007, and August 3, 2007, the United States published notice of the forfeiture in the *Waterloo-Cedar Falls Courier*, a daily newspaper of general circulation in the area the firearms were seized, and of the United States' intent to dispose of the property in accordance with the law and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the property;

AND WHEREAS, no third-party claims have been made for return of seized property against the firearms included in the Preliminary Order of Forfeiture entered on January 5, 2007.

It is HEREBY ORDERED, ADJUDGED and DECREED:

1. That the right, title and interest to the hereinafter described property of the defendant named, is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law.

2. That the following property belonging to defendant Marlon Earsery, who is the subject of this Order, is hereby condemned and forfeited to the United States of America, as follows:

- a. **a loaded Haskell, JHP, .45 caliber, with obliterated serial number;**
- b. **a loaded Taurus, Model PT92, 9mm, SN TVF10038;**
- c. **a loaded Bryco, Model Jennings Nine, 9mm, SN 1384913;**
- d. **a loaded Bryco, Model Jennings Nine, SN 752741;**
- e. **a Hi-Point, Model C, 9mm, SN P142205;**
- f. **a Sterling Arms, .22 caliber handgun; SN E30970; and**
- g. **a Hi-Point, Model C, 9mm, serial number 8390991**

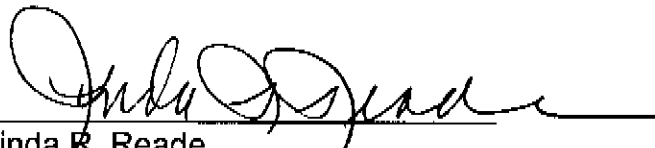
seized from defendant on or about February 26, 2006, in Waterloo, Iowa.

3. That the Bureau of Alcohol, Tobacco, Firearms, and Explosives, is hereby authorized to dispose of the firearms identified in paragraph 2 of this Order.

4. That the United States District Court shall retain jurisdiction in this case for the purpose of enforcing this Order; and

5. That the Clerk of the Court shall forward three certified copies of this Order to the United States Attorney's Office, Attention: Assistant U.S. Attorney Martin J. McLaughlin.

DATED this 5th day of September, 2007.



Linda R. Reade
Chief Judge, U.S. District Court
Northern District of Iowa